

REMARKS AND ARGUMENTS

Claims 1-10 are pending in the present application. Claims 1, 5 and 8 have been amended. Support for the amendments is found in the specification at page 4, lines 5-7; page 5, lines 25-28 and page 9, line 19.

Claims 1-10 were rejected under 35 U.S.C. § 102(b) over Lewandowski *et al.* (U.S. 5,747,551, hereinafter "Lewandowski") and under 35 U.S.C. § 102(e) over Shi *et al.* (U.S. 6,921,454, hereinafter "Shi"). Applicants respectfully traverse the rejections.

Lewandowski teaches a composition which contains an elastomer, i.e., a "thermoplastic polymer," in the form of "an acrylated polybutadiene component," which is described as being "a very important constituent" of the invention (see Col. 4, lines 31-33). In contrast, the composition of the present claims requires an elastomer "having no (meth)acryloxy groups." Therefore, Lewandowski cannot anticipate the present invention, and further, there is no motivation to modify Lewandowski's teachings. Indeed, Lewandowski discourages any modification of the acrylated polybutadiene component by describing it as "very important" to the invention.

Shi teaches a composition containing an "unsaturated ether monomer" $R[O-CH=CHR^1]_n$, in which R and R¹ can be a variety of substituent groups, but none of the choices would result in a monomer containing a (meth)acryloxy group (see Col. 2, line 30 to Col. 3, line 5). In contrast, the composition of the present invention must contain monomers and/or oligomers having (meth)acryloxy groups. Therefore, Shi also fails to anticipate the present claims, and also fails to provide any motivation to modify its teachings. The unsaturated ether monomer is a key component of Shi's invention, and no other monomers are suggested.

Moreover, claim 1 recites a method for preparing a cold seal adhesive in which the components are cured using electron beam irradiation. Lewandowski does not teach a radiation cured adhesive, and provides no suggestion that this technique be used.

Applicants acknowledge the provisional double patenting rejection, but will not respond until the time of allowance of the pending claims.

Applicants believe that the foregoing amendments have placed the application in condition for allowance without raising new issues or requiring any further consideration, and respectfully request that this Amendment be entered and all claims be passed to allowance at this time. In any event, Applicants believe that this Amendment places the claims in better form for consideration on appeal, and should be entered under 37 C.F.R. § 1.116. However, if the Examiner has any further objections to the application, Applicants respectfully request that the Examiner contact Applicants' undersigned

attorney by telephone at (847) 649-3891 to discuss the remaining issues.

Respectfully submitted,



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